

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Bianco on 11/4/2010.

**Claims 4-8, 10, 15, 18 and 23 have been canceled.**

**Claim 1:**

Lines 6-7, "around the external rotating wheel's axis" has been replaced with --around a central axis of the external rotating wheel--;

Line 8, "each external wheel" has been replaced with --the external rotating wheel--;

Line 9, "bearing" has been replaced with --bearings--;

Line 9, "said external wheel" has been replaced with --the external rotating wheel--;

Line 10, "the external wheel" has been replaced with --the external rotating wheel--;

Line 11, "the central axis of said wheel" has been replaced with --the central axis of said external rotating wheel--;

Line 14, "said assemblies" has been replaced with --said plurality of secondary wheel assemblies--;

Lines 14-15, "the external wheel's axis" has been replaced with --the central axis of said external rotating wheel--.

**Claim 2:**

Lines 3-4, "central axis of the wheel" has been replaced with --said central axis of each secondary wheel assembly--.

**Claim 11:**

Line 2, "said assemblies" has been replaced with --said plurality of secondary wheel assemblies--.

**Claim 20:**

Lines 1-2, "said secondary wheel assemblies" has been replaced with --said plurality of secondary wheel assemblies--;

Line 2, "the external wheel" has been replaced with --the external rotating wheel--.

**Claim 21:**

Line 1, "said each frame" has been replaced with --said at least one frame--.

**Claim 22:**

Line 3, "the secondary axis" has been replaced with --said central axis of each secondary wheel assembly--.

**Claim 24:**

Line 1, "said cultivation beds" has been replaced with --said at least one cultivation bed--;

Line 2, "said assembly" has been replaced with --said plurality of secondary wheel assemblies--.

**Claims 1, 2, 11-13, 16, 17, 19-22 and 24 have been allowed.**

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: References cited on Applicant's Information Disclosure Statement, Fleming (US 3,909,978), Blake (US 4,085,544), Clare (US 3,339,308), and Agius (US 7,168,206) show rotating cultivation systems. Further Castille (US 2,864,614), O'Keefe (US 4,815,728) and Sheperd (US 2,934,341) show amusement devices rotating about a central mechanism and having external rotating assemblies.

3. However, the prior art of record neither shows or makes obvious, alone or in combination, at least one central rotating mechanism and at least one external rotating wheel, a plurality of secondary wheel assemblies connected to the external rotating wheel, wherein each assembly holds at least one cultivation bed; wherein the external rotating wheel is mounted upon bearings; and wherein the rotation of said secondary wheel assemblies around the central axis of said wheel external rotating wheel is independent of said assemblies rotation around their own axes as recited in independent claim 1.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIELLE CLERKLEY whose telephone number is (571) 270-7611. The examiner can normally be reached on M-TH 8:00 AM - 5:00 PM EST, F 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DANIELLE CLERKLEY/  
Examiner, Art Unit 3643

/Rob Swiatek/  
Primary Examiner, Art Unit 3643  
5 November 2010